



METHFESSEL & WERBEL

A Professional Corporation

JOEL N. WERBEL>
JOHN METHFESSEL, JR.>
FREDRIC PAUL GALLIN*+<
WILLIAM S. BLOOM*+<
ERIC L. HARRISON*+<
MATTHEW A. WERBEL>
LORI BROWN STERNBACK*+<
I. BLAKELEY JOHNSTONE, III*+<
GINA M. STANZIALE>
PAUL J. ENDLER JR.>
JAMES P. CULLEN, JR.*+<
THOMAS O. MULVIHILL>
JAMES FOXEN*+<
SARAH K. DELAHANT+<
ATHINA L. CORNELL+<
JEFFREY R. MERLINO+<
JENNIFER A. OSBORNE+<
ANDREW J. GIBBS>

Of Counsel
STEPHEN R. KATZMAN#<
ED THORNTON>
MICHAEL TRIFIOLIS
BETH A. BOLGER+<
PAUL E. GRIGGS>

Retired
JOHN METHFESSEL, SR.>
(1935-2017)
DON CROWLEY*+<
(1942-2024)
MARC DEMBLING*+<
(1944-2022)

Counsel
STEPHEN G. BRENNER*+<
ADAM M. CARMAN*+<
SHAJI M. EAPEN+<
JOSEPH C. FALK>
ANGELA M. GURRERA>
GERALD KAPLAN>
JARED P. KINGSLEY*+<
JOHN R. KNODEL*+<
LESLIE A. KOCH=<
CHARLES T. MCCOOK, JR.*+<
CHRISTINA MICHELSON+<
RICHARD A. NELKE~<
STEVEN K. PARNES+<
RAINA M. PITTS*+<
AMANDA J. SAWYER*+<
JARED S. SCHURE>
STEVEN A. UNTERBURGER+<

Associates
JILLIAN T. CLARK>
EDWARD D. DEMBLING>
KARISHMA DHURVE>
MICHAEL R. EATROFF>
FRANK J. KEENAN*+<
SCOTT KETTERER>

Associates, Cont'd
ALLISON M. KOENKE>
JOHN M. MARTIN>
ANTHONY J. MANCUSO>
KAJAL J. PATEL+<
ADAM M. SCHWARTZ+<
VITTORIA A. SCULCO>
SARAH E. SHEPP+<
ALYCIA M. SWIFT+<
TIFFANY D. TAGARELLI>

* Certified by the Supreme Court of
New Jersey as a Civil Trial Attorney
+Member of NY & NJ Bar
^Member of PA & NJ Bar
^Member of NY Bar only
>Member of NJ Bar only
#Member of NJ & LA. Bar
<Member of NJ & DC Bar
<Member of NJ, NY & CA Bar
≥Member of NJ, PA & DC Bar
~Member of NY, NJ & DC Bar
=Member of NY, NJ & MA Bar

Please reply to New York

December 13, 2024

VIA ECOURTS FILING

Honorable Paul A. Engelmayer, U.S.D.J.
United States District Court for the Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

RE: **COLONY INSURANCE VS. OZ SOLUTIONS, ET AL.**

Our File No. : 94403a SME
Docket No. : 1:24-CV-01935

Dear Judge Engelmayer:

This office represents Plaintiff Colony Insurance in this matter. There is a telephonic Case Management Conference scheduled in this matter for December 17, 2024 at 3 p.m. with Your Honor. With consent of all counsel, it is respectfully requested that the December 17th Conference be adjourned, and the Court enter the attached Amended Civil Case Management Plan and Scheduling Order for the following reasons.

Recently, there was a settlement reached in principle during mediation between the plaintiff and the developer and general contractor in the underlying construction defect case. A follow-up mediation session is scheduled for January 15, 2025 at which time, the developer and general contractor hope to resolve its third-party claims against the various subcontractors, including Oz Solutions, a defendant in this matter.

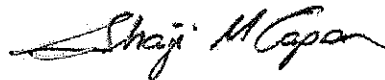
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It is possible that a settlement on January 15 involving Oz Solutions could resolve some or all of the coverage disputes at issue in this matter. Additionally, certain parties have not completed their respective document productions as they would like to make certain that the Proposed Protective Order [ECF. No. 76] is satisfactory to the Court. Consequently, the parties are submitting the Amended Civil Case Management Plan and Scheduling Order to allow the parties to complete discovery if there is no global resolution on January 15.

Accordingly, the parties respectfully request the Court adjourn the December 17, 2024 Case Management Conference and enter the attached Amended Civil Case Management Plan and Scheduling Order. This is the first request for the adjournment of the December 17th Case Management Conference.

Respectfully submitted,

METHFESSEL & WERBEL, ESQS.

A handwritten signature in black ink, appearing to read "Shaji M. Eapen".

Shaji M. Eapen
eapen@methwerb.com
Ext. 131

SME:kfh

Enclosure: Amended Civil Case Management Plan and Scheduling Order

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cc: VIA ECOURTS FILING
Lawrence Klein, Esq.
William Bohannon, Esq.
Robinson & Cole LLP
666 3rd Avenue
New York, NY 10017

Allen Wolff, Esq.
Ethan Middlebrooks, Esq.
Anderson Kill P.C.
1251 Avenue of the Americas
New York, NY 10020

Simon Malinowski, Esq.
William Bohannon, Esq.
Peraino Malinowski LLP
27 East 21st Street, 6th Floor
New York, NY 10010

Thomas Schorr, Esq.
Dilworth Paxson LLP
2 Research Way
Princeton, NJ 08540

The Court thanks the parties for this update and welcomes the interest in settling the matter. The telephonic case management conference is hereby adjourned until **March 25, 2025, at 2 p.m.**

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Date: December 13, 2024